

## Message Text

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PAGE 01 SEOUL 01266 140832Z  
ACTION OES-06

INFO OCT-01 EA-07 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01  
CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00  
DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01  
INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05  
NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 SAL-01  
FEA-01 NSCE-00 SSO-00 USIE-00 INRE-00 /111 W  
-----140834Z 031234 /17

O R 140820Z FEB 77  
FM AMEMBASSY SEOUL  
TO SECSTATE WASHDC IMMEDIATE 2114  
INFO AMEMBASSY TOKYO

C O N F I D E N T I A L SEOUL 1266

EO 11652: GDS  
TAGS: EFIS, KS, JA  
SUBJECT: US-KOREA GOVERNING INTERNATIONAL FISHERY AGREEMENT

REF: STATE 2001

SUMMARY: MINISTRY OF FOREIGN AFFAIRS HAS RECEIVED "IMPRECISE"  
REPORTS FROM ROK EMBASSY WASHINGTON RE FAILURE OF USG TO  
OBTAIN APPROVAL OF US-ROK GIFA FROM CONGRESS TOGETHER WITH  
THE OTHERS APPROVED BY JOINT RESOLUTION OF FEBRUARY 8, 1977.  
REQUESTS URGENT EXPLANATION U.S. "INTERNAL PROCEDURES" AS  
CONTAINED IN ARTICLE XV. END SUMMARY.

1. DURING VISIT TO FONOFF, DIRECTOR HAM TAE HYUK OF ECONAFF  
BUREAU INFORMED EMBOFF OF ROKG SURPRISE THAT THE GIFA IS  
APPARENTLY STILL WITHIN EXECUTIVE BRANCH ALTHOUGH 40 DAYS  
HAVE PASSED SINCE ITS SIGNING ON JANUARY 4, 1978. HE  
NOTED THAT THE PRIMINISTER SIGNED THE AUTHORIZATION FOR  
ROK AMBASSADOR TO INITIAL AGREEMENT ON DECEMBER 28,  
1976 AND PRESIDENT SIGNED IT ON DECEMBER 30. THEREFORE,  
ROK INTERNAL PROCEDURES WERE LEGALLY COMPLETED BEFORE  
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SIGNING AT WASHDC WHETHER OR NOT THE ROKG LATER DECIDES ALSO  
TO TRANSMIT THE AGREEMENT TO THE NATIONAL ASSEMBLY FOR  
DISCUSSION OR REVIEW.

3. HAM NOTED THAT "INTERNAL PROCEDURES" AS USED IN  
ARTICLE XV IS TO BE INTERPRETED INDEPENDENTLY BY BOTH  
SIDES AND THAT HE HAD NO RPT NO WISH TO SUGGEST WHAT THOSE

OF THE USG MIGHT BE. HOWEVER, HE NOTED THAT THE U.S. ACT  
REQUIRES CONGRESSIONAL REVIEW WHICH MIGHT CAUSE REVOCATION  
OF U.S. SIGNATURE, WHERE NO RPT NO SUCH CIRCUMSTANCE  
EXISTS ON ROK SIDE. HAM REQUESTED THE TEXT OF THE JOINT  
RESOLUTION OF FEBRUARY 8, WHICH APPARENTLY SATISFIES THE  
60 DAY REQUIREMENT AS FAR AS THE GIFA'S LISED IN IT ARE  
CONCERNED. HE OBSERVED THAT IT IS HIS UNDERSTANDING THE  
GIFA CANNOT ENTER INTO FORCE WITHIN 60 DAYS OF SIGNING  
IF U.S. "INTERNAL PROCEDURES" ARE NOT SATISFIED BY THE  
60 DAY "SLEEP" IN CONGRESS OR A WAIVER OF THOSE 60 DAYS.

4. HAM REQUESTED THAT EMBASSY URGENTLY SEEK INFORMATION  
ON WHEN U.S. "INTERNAL PROCEDURES" CAN BE COMPLETED TO  
ALLOW ROK-US GIFA TO ENTER INTO FORCE ON MARCH 1, 1977.  
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## Message Attributes

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**Channel Indicators:** n/a  
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**Concepts:** FISHERIES, AGREEMENTS, NEGOTIATIONS  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
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**Disposition Date:** 22 May 2009  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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22 May 2009  
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